

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18-CR-00176-RJC-DSC

USA

v.

BOOKER THOMAS CRANK

)
)
)
)
)
)

ORDER

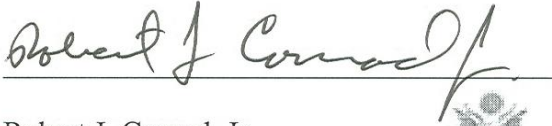
THIS MATTER is before the Court upon the defendant's pro se motion for a recommendation to the Bureau of Prisons (BOP) that his federal sentence be served concurrently with a state sentence. (Doc. No. 38).

According to the motion, after this Court sentenced the defendant for possessing a firearm as a felon on January 29, 2019, (Doc. No. 35: Judgment), he was sent to South Carolina where he was held in custody on unspecified charges, (Doc. No. 38: Motion at 2). Although a federal court has discretion to announce whether its sentence will be served concurrently with or consecutively to an anticipated state sentence, Setser v. United States, 132 S. Ct. 1463, 1468 (2012), that issue was not addressed in the proceedings before this Court.¹ Multiple terms of imprisonment imposed at different times run consecutively unless the judgment states otherwise. 18 U.S.C. § 3584(a). The defendant has not shown any authority to alter the final Judgment to include the requested recommendation.

¹ The presentence report did not include any pending South Carolina charges. (Doc. No. 28 at 8).

IT IS, THEREFORE, ORDERED that the defendant's request for a recommendation for a concurrent sentence, (Doc. No. 38), is **DENIED**.

Signed: October 22, 2021

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

